

117 PINNER ROAD, NORTHWOOD, HA6 1DA

Our ref: 0216/PIN117/PNOTIF

Planning Report

PREPARED ON BEHALF OF THE APPLICANT LITHIUM PROPERTIES LIMITED

VERSION: 1.3



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Introduction

117 Pinner Road is a four-storey building on the south west side of Pinner Road, adjacent to its roundabout junction with Joel Street. It comprises of three linked blocks containing 64 residential units above two retail units with basement car and cycle parking.

The application proposes the erection of two additional storey on the principal building fronting Piner Road comprising of 8 residential flats and seeks consent pursuant to the prior approval provisions in Schedule 2, Part 20 Class AA of the General Permitted Development Order 2015 (as amended). The application is presented as a response to the refusal of a similar application on 18th January 2023.

The new application comprises

- updated planning drawings
- updated sunlight and daylight assessments
- confirmation of adequacy of fire precautions
- draft unilateral undertaking in respect of restriction of access to parking permits

In this statement we demonstrate how the new proposals respond to each of the seven reasons for refusal of the previous application such that prior approval may now be granted.

Further details of the site and surrounding area are provided in the Design and Access Statement that accompanied the previous application. This is attached as **Appendix 1** of this document.

Scheme revisions

The application site area has been extended to the east, to the rear of properties fronting Joel Street to incorporate 8 additional car parking spaces on land that is already in the applicants' ownership.

Whilst the current application still proposes two additional storeys, this is now confined to the principle building fronting Pinner Road. To moderate the visual impact of the new floors, the uppermost storey has been pared back from the front elevation and is accessed from an open walkway.

Application drawings amendments include annotated internal floor to ceiling heights following on site measurements to determine the operative datum for the proposed new floors.

Reasons for refusal

Reason 1

The proposed additional storeys would not be constructed on the principal part of the building that was granted permission under application reference 12055/APP/2006/2510. The application submission therefore fails to accord with provision AA.1. (d), Class AA, Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Comment

We are mindful that the provisions of AA.1. (d), Class AA make specific reference to the principal part of the building, and whilst the GDPO does not define what is meant by the term, we have been guided by the previous case officer's determination that the principal part of the building is that which fronts onto Pinner Road alone. In these revised proposals the originally proposed extensions on the portion of the building facing the rear of properties in Joel Street have therefore been removed.

Reason 2

The floor to ceiling height of the proposed additional storeys, measured internally, would exceed the floor to ceiling height, measured internally, of the principal part of the existing building. The application submission therefore fails to accord with provision AA.1. (e) (ii), Class AA, Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development).

Comment

The previous case officer calculated the minimum internal floor to ceiling height for the building to be 2.2 metres from the second storey up. The narrative in their report suggests that this measurement was derived by scaling from other drawings. We have taken onsite measurements which confirm the internal floor to ceiling heights as 2.31m, 1st and 2nd floor and 2.37m at 3rd floor is level. The floor to ceiling heights for the proposed new floors would be 2.31 metres and this is shown in drawing PL18 Revision E which accompanies this application. As both would not exceed that of the existing minimum observed level in the building, we would submit that the proposals are now consistent with the tolerances of AA.1. (e) (ii), Class AA of the GDPO.

Reason 3

By virtue of its height, scale, bulk and massing, the proposed development would harm the external appearance of the building. Prior approval is therefore refused under Condition Class A.2.(1)(e), Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Comment

The amount of new development proposed has been significantly reduced compared to the previously submitted proposals. The number of dwellings has been reduced leading to a

significant reduction in the proposed additional built form. Moreover, in relation to the retained elements of new build, these are now set back from the main front elevation and the uppermost floor pared-back further by incorporation of a deck access feature. A balustrade feature is incorporated at the uppermost storey to create a 3:2:1 vertical rhythm to the elevations which is supported by the sensitive use of white painted render and profiled zinc surface materials. We would submit that the currently proposed extensions would complement the external appearance of the building and there would be no harm to its character or appearance or that of the locality. The revised proposals are therefore wholly compliant with Class A.2.(1)(e), Part 20, Schedule 2 of the GDPO.

Reason 4

The proposed development fails to demonstrate that the retained service road would be capable of maintaining adequate delivery and service vehicle access to adjacent commercial properties without the need for vehicles to reverse excessive distances and that the 8 additional parking spaces would be feasible and workable. As such, it has not been adequately demonstrated that the proposal would not give rise to additional on-street parking and lead to conditions which would be prejudicial to the operation of the highway network and pedestrian and highway safety, contrary to Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan Part 2 - Development Management Policies (March 2020).

Comment

The previous application proposed the provision of 8 car parking spaces on land to the north east of the site, to the rear of properties fronting Joel Street. However, whilst the spaces were shown in the application drawings, they were not included within the red outline of the application site. The site location plan has therefore been amended and Drawing PL20 Rev E has been produced to show the site of the car parking spaces clearly within the red outline of the application site. The drawing also shows land within the applicant's ownership, outlined in blue, which includes a turning circle, that would be used for access and manoeuvring into the spaces. On the ground, the area of the proposed car parking spaces is separated from the access road and manoeuvring space by lockable bollards. It is used in parts by persons unknown for unauthorised container storage which the applicant is seeking to have removed via the courts.

In numerical terms 8 parking spaces to service 8 residential flats would be sufficient to meet the requirements of DMT 6 of the Hillingdon Local Plan Part 2 - Development Management Policies (March 2020). Moreover, whilst the area has a Ptal rating of 3 it is clearly well served by London Underground's Northwood Hills Station which is just 260 metres away and has regular services, including peak hours 'fast trains' in both directions. There are also reliable bus services to multiple local destinations along both Pinner Road and Joel Street. In all the circumstances the likelihood of overspill car parking which would be prejudicial to the operation of the highway network and pedestrian and highway safety is considered remote.

The provision and use of the car parking spaces could be readily secured and regulated by way of a suitably worded planning condition.

Reason 5

Insufficient information, based on the latest BRE guidelines (June 2022) has been submitted in order to enable the Local Planning Authority to establish whether the proposed development would provide the provision of adequate natural light in all habitable rooms of the new dwellinghouses. Prior approval is therefore refused under Condition Class AA.2. (1)(f), Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Reason 6

Insufficient information, based on the latest BRE guidelines (June 2022) has been submitted in order to enable the Local Planning Authority to establish whether the proposed development would adversely impact on the amenity of the existing building and neighbouring premises, in respect to the loss of light. Prior approval is therefore refused under Condition Class AA.2. (1)(g), Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Comments

The sunlight and daylight implications of the previous application were assessed within a specially commissioned report which unfortunately referenced out of date. So, whilst the submitted Daylight and Sunlight Report advised that the assessment of daylight and sunlight within the proposed apartments has shown that all rooms receive good levels in excess of the relevant BRE targets, it was not possible for the LPA to agree that current BRE targets would be met. A similar conclusion was reached in relation to external impacts on existing and nearby properties.

The current proposals are accompanied by new assessments, updated to reflect the most up-to-date guidelines and targets. The new assessments provided by Eb7 indicate that overall that daylight and sunlight results within the proposed residential units would be fully BRE compliant.

Externally, the assessment show that 75% of the amenity spaces receive at least two hours of sun currently. This does not change following development. As such, the BRE guidelines will be fully satisfied.

For daylight, just 1 of 219 windows assessed falls short of the retained vertical sky component (VSC) 80% target by 2%. All other windows meet or exceed the target. The No Skyline (NSL) test calculations for the distribution of daylight within rooms shows that five rooms will retain between 0.70 and 0.79 times their former values this is based on assumed layouts. All other rooms would be fully and clearly BRE compliant for daylight. However, it should be noted that BRE advises against the use of these assessments where room layouts are unknown as the rooms may be non-habitable or serviced by other windows. The tests were nonetheless carried out and reported for completeness.

For sunlight, the results of the APSH assessment have shown that all main living rooms (or where layouts are unknown, rooms that may reasonably be main living rooms) will meet or exceed BRE targets for both annual and winter sunlight.

In conclusion, a comprehensive series of sunlight and daylight tests have been completed which show full sunlight compliance and almost imperceptible diminution of daylight to just 5 windows out of 219 surveyed. In all the circumstances it is not considered that the proposals

would have a significantly adverse impact on the amenities of existing and nearby residents or future occupiers of the proposed new flats.

Reason 7

The applicant has failed to secure parking permit restrictions for future occupiers and a Travel Plan which are both required to mitigate the parking and highways impacts created by the proposed development. Prior approval is therefore refused under Condition Class AA.2. (1)(a), Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Comments

We note that the Council's Highway Engineer advised against the imposition of Travel Plan requirement, given the limited scale of development. Similar comments were made in respect of limiting access to parking permits for future occupiers although the concern here was more in relation to sustaining an objection on these grounds in the event of an appeal. We are minded to agree with the Council's Highways Engineer in relation to both matters. The circumstances where Travel Plans are required are clearly set out on Page 39 of the council's most recent validation checklist. The application proposes just 8 new flats and 8 car parking spaces at a location with good access to public transport facilities and a range of shopping, leisure and social opportunities. It is clearly unlikely to generate such significant amounts of movement as to be required to provide a travel plan pursuant to the NPPF, the London Plan or the Local Plan. Nonetheless, a Unilateral Undertaking (UU) has been prepared in relation to the latter as the circumstances where this might be required are less clear and we are mindful that a UU is already in existence for the host development. We accept that there would be operational benefits for both the council and the applicant for all elements of the development on site to be subject to the same restrictions in terms of access to parking permits. The proposed UU, attached as **Appendix 2**, is in the same format as the undertaking already in place for the parent development. It has been submitted to the council for agreement and confirmation of costs. We are waiting for receipt of their comments.

Other matters

In relation to fire safety, the engineers have confirmed that the conclusions from their previous report are unchanged by these revised proposals although advice is provided on detailed design elements that will be required for stage 4/5 (Building Control) gateway. (**see Appendix 3**). Their previous report is therefore submitted as an application document to assist the decision maker.

Conclusion

The application proposes the addition of two additional floors on top of the principal building at 117 Pinner Road and this statement sets out to demonstrate that the proposals are fully compliant with the Permitted Development Criteria set out in Schedule 2, Part 20 Class AA of the General Permitted Development Order 2015 (as amended). It is specifically concerned to address the seven reasons for refusal of the previously submitted proposals. The application presents new information in relation to:

- Internal floor to ceiling heights
- sunlight and daylight assessments
- adequacy of fire precautions
- car parking
- draft unilateral undertaking in respect of restriction of access to parking permits

The application is accompanied by drawings showing the provision of 8 generously proportioned dual aspect flats, fully compliant with the National Space Standards in relation to floor space and internal ceiling heights whilst also providing good natural lights in all habitable rooms. The location of car parking to service the new flats is also clarified in the new drawings.

On behalf of the applicant, we would submit that in all the circumstances, the proposals subject of this application would qualify as permitted development for which Prior Approval is required and should be approved.

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February 2025

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